

**NEW HAMPSHIRE BOARD OF NURSING
MINUTES
May 15, 2014**

Recorder: Kathryn Dickson, Executive Secretary

TOPIC	DISCUSSION	ACTION
1.0 Call to Meeting		Meeting called to order at 8:00 a.m. with R. Duhaime (RD), Chair, presiding. Board members present: C. Smith (CS), B. Fersch (BF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), K. Kidder (KK); A. Finn-Waddell (AF); N. Fortin (NF) Board members absent: , K. Baranowski (KB) Board staff present: D. Nies (DN), A. Pavlidis (AP), L. Tetreault (LT), S. Goodness (SG), K. Dickson (KD)
1.1 Open Forum	None	
1.2 Addendum		
1.2.1 Additions		7.2.2 H. Ball, LPN (VS) 7.3.1 K. Sturtevant, RN Motion to Dismiss & Motion for Extension of Time to Respond
		10.2.1 On-line RN/LPN Refresher Courses
		11.2.1 P & E Committee recommendations regarding LNA's handling/transporting medications
		12.2.1 Evening of Discussion (AP)
1.2.2 Deletions	None	
1.3 Appearances		10.1.4 St. Joseph SON 9:00 a.m. 10.3.3 WMCC 9:15 a.m. 8.1.1 R. Joseph 11:00 a.m. 8.1.2 J. Karp 1:00 p.m. 8.1.3 C. Beam 1:10 p.m. 8.1.4 O. Ricard (via phone) 1:15 p.m. 9.2.2 C. Strobl 1:20 p.m. 9.2.3 C. Doucette 1:30 p.m.

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		4.4 M. McKenna, K. Denning 2:00 p.m.
2.0 Approval of minutes 2.1 April 17, 2014 Regular Board meeting minutes	Reviewed and discussed.	M/HF, S/TC to approve minutes as written. Unanimous.
4.0 Report of Executive Director/Staff 4.1 Expense Summary Budget 4.3 Long Term Care Sub Committee (FYI) 4.4 Marsha McKenna, Keith Denning Johnson & Johnson Worldwide Government Affairs & Policy	Reviewed and discussed. Reviewed Legislative Health and Human Services Oversight Committee minutes with presentation by Michelle Winchester on LNA Practice – Medication Administration among other states. Representatives from Johnson & Johnson offered information about recently approved SEDASYS System; first computer assisted personalized sedation system.	FYI. FYI. FYI.
7.0 Adjudicative (Investigator/Prosecutor) 7.2 Consent Decree/Settlement Agreement/ Voluntary Surrender/Preliminary Agreement for Practice Restrictions 7.2.1 S. Cyr (VS) 7.2.2 H. Ball, LPN (VS) 7.3 Motion for Reconsideration/Rehearing/ Continuance/Pre-hearing Conference/Motion to Compel 7.3.1 K. Sturtevant, RN 7.4 Dismissals (Proposed) 7.4.1 W. C., LPN	Previously reviewed. Reviewed and discussed. Reviewed and discussed Motion to Dismiss and Motion for Extension of Time to Respond for filing. Previously reviewed.	M/JK, S/HF to accept Voluntary Surrender as proposed. Unanimous. M/NF, S/TC to accept Voluntary Surrender as proposed. Unanimous. M/NF, S/TC to deny request for Motion to Dismiss. Unanimous. M/NF, S/TC to accept request for Motion for Extension of Time to Respond until June 6, 2014. Unanimous. M/JK, S/HF to accept recommendations as proposed. Unanimous.

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9.2.2	C. Strobl LPN Endorsement	C. Strobl offered testimony in support of request to be granted ability to obtain NH LPN license by endorsement.	M/NF, S/TC to allow LPN licensure by endorsement in NH. Unanimous.
9.2.3	C. Doucette RN Endorsement	Failed to appear.	
9.2.4	K. Graham RN NCLEX by comparable education	Reviewed and discussed request for ability to use comparable education to take RN NCLEX. Applicant does not have nursing degree from any institution. Nur 302.02 requires graduation from board-approved program.	M/TC, S/NF to deny request for RN licensure in NH by comparable education pursuant to Administrative Rule Nur 302.02. Unanimous.
9.2.5	S. Hodnett RN NCLEX application	Reviewed and discussed request to be granted ability to take RN NCLEX before fulfilling requirements of LADAC.	M/NF, S/BF to require S. Hodnett to appear before Board at June 19, 2014 meeting to provide information on current status and treatment progress. Yea: CS, KK, BF, NF, HF, TC, AF Nay: JK Motion carries.
9.3	Licensure (Non-appearance)		
9.3.1	K. M., LNA licensure	Previously reviewed.	M/JK, S/HF to allow LNA licensure in NH. Unanimous.
9.3.2	J. T., LNA licensure	Previously reviewed.	M/JK, S/HF to allow LNA licensure in NH. Unanimous.
9.3.3	A. B., LNA licensure	Previously reviewed.	M/JK, S/HF to allow LNA licensure in NH. Unanimous.
10.0	Education		
10.1	Consideration for Continuing Approval		
10.1.1	Nashua High School-South LNA Program	Previously reviewed.	M/JK, S/HF to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
10.1.2	Regional Career Technical Center Dover High School LNA Program	Previously reviewed.	M/JK, S/HF to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
8.0	Adjudicative (Executive Director)		
8.1	Reinstatement, Removal of Probation,		

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<p>Restrictions, Modifications or Conditions</p> <p>8.1.1 R. Joseph Suspended RN license #039062-21</p> <p>8.1.2 J. Karp, RN #028733-21</p> <p>8.1.3 C. Beam Inactive RN #050737-21</p> <p>8.1.4 O. Ricard, LNA #046591-24</p>	<p>R. Joseph appeared before Board to request reconsideration of decision to suspend license. Hearing amplifier was offered to Respondent, but he stated it was not needed.</p> <p>J. Karp presented oral testimony in support of petition for removal of probation from NH RN license.</p> <p>C. Beam presented oral testimony in support of petition to reinstate NH RN license after successful completion of NCLEX-RN as reentry option.</p> <p>O. Ricard previously requested end to Reprimand on LNA license and was scheduled to address issue via telephone, but failed to contact Board.</p>	<p>M/TC, S/NF to deny request to reverse decision to suspend RN license. Unanimous.</p> <p>M/NF, S/TC to remove probation from NH RN license and grant multi-state privileges. Unanimous.</p> <p>M/NF, S/CS to deny reinstatement of NH RN license. Unanimous.</p> <p>Decision postponed until Respondent addresses issue verbally.</p>
<p>10.0 Education</p> <p>10.1 Consideration for Approval Status</p> <p>10.1.3 Colby Sawyer College RN BS Program</p> <p>10.1.4 St. Joseph School of Nursing RN AD Program</p> <p>10.3 Educational Issues</p> <p>10.3.1 Harmony Health Care Institute Corrective Action Plan</p> <p>10.3.2 River Valley Community College Quarterly Report</p> <p>10.3.3 White Mountains Community College Request for Extension of</p>	<p>Reviewed and discussed 5-year report for continuing approval of Colby Sawyer College RN BS program.</p> <p>Reviewed and discussed with Margaret Moriarty-Litz, Interim Director of Nursing Program, 5-year report for continuing approval of St. Joseph School of Nursing, RN AD Program.</p> <p>Reviewed and discussed corrective plan summary submitted by Harmony Health Care Institute.</p> <p>Reviewed and discussed River Valley Community College Quarterly Report.</p> <p>Reviewed and discussed with Katharine Eneguess, President, and Emily MacDonald, Chair, Department of Nursing, White Mountains Community College,</p>	<p>M/NF, S/KK to grant <i>Full Continued Approval</i> of RN BS program and director. Unanimous.</p> <p>NF recused. M/AF, S/TC to grant <i>Full Continued Approval</i> of RN AD program and director. Unanimous.</p> <p>Board concerned that corrective action plan will be difficult to accomplish within 12-month timeframe. Harmony Health will be requested to submit 12-month timeline outlining priorities to be addressed in this timeframe. AP to respond.</p> <p>Report accepted as presented.</p> <p>M/NF, S/JK to extend Conditional Approval for additional 6 months. Unanimous.</p>

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<p>Conditional Approval</p> <p>10.3.4 Discussion on Comparable Education (AP)</p>	<p>request to extend Conditional Approval for additional 6 months.</p> <p>M/NF, S/KK to conduct non-session for purpose of attorney/client discussion. Non-session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Board voted as follows: Yea: RD, KK, AF, TC, CS, BF, NF, JK, HF Non-public session began at 9:37 a.m. and concluded at 10:00 a.m.</p> <p>Discussion on Administrative Rules pertaining to Comparable Education.</p>	<p>Board agreed to tighten up rules on Comparable Education. Unanimous agreement to accept Comparable Education for licensure from NH programs <u>only</u>.</p>
<p>11.0 Practice Inquiries and Practice Committee Reports</p> <p>11.1 Liaison Committee (KK)</p> <p>11.2 P & E Committee (NF)</p> <p>11.3 Request for Board Advice re:</p> <p>11.3.1 RN Scope of Practice: Perform physical examination for commercial driver f</p> <p>11.3.2 RN Scope of Practice: Accept verbal orders from technicians</p>	<p>No meeting.</p> <p>NF reported on meeting of May 12, 2014. Discussed LNA scope in relation to handling medication. P & E Committee recommends that LNAs may convey medications provided there are specific policies and procedures in place to guide practice.</p> <p>Reviewed and discussed whether or not it is within RN scope of practice to conduct testing and physical examination of body systems as required on Federal Motor Carrier Safety Administration's Medical Examination Report to determine whether driver is physically qualified to drive a commercial motor vehicle in interstate commerce, and to complete Medical Examiner's Certificate.</p> <p>Reviewed and discussed whether or not it is within RN scope of practice to accept verbal orders from technicians as a "relaying of an order" from provider.</p>	<p>M/KK, S/TC to approve P & E recommendations that it is within the scope of practice of an LNA to convey unopened/packaged medications under the supervision of a licensed nurse. Facility/agency policies and procedures must be in place to guide practice. Education and competency should address the requirements of this task. Unanimous.</p> <p>M/TC, S/NF to affirm that it is NOT within RN scope of practice perform physical examination to medically certify a driver as physically qualified to drive a commercial motor vehicle in interstate commerce. Unanimous.</p> <p>Board consensus that that in order for a nurse to write a verbal order, that verbal order must come from the provider. Verbal orders are</p>

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		recommended only in emergency situations. Facilities must determine a better process in order to facilitate direct communication of an order to a nurse who is required to write that order.
12.0 Committee Reports and Recommendations 12.1 HeM 1201 (TC) 12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP) 12.2.2 LNA Day of Discussion (LT) 12.3 ADA (NF, AF, TC)	No meeting. Plans for Evening of Discussion on August 26, 2014 at the Walker Building, 5:00-8:00 pm. LT reviewed agenda for LNA Day of Discussion to be held at the Walker Building on June 19, 2014. One applicant for review.	Program information will be on website by June, 2014
	M/NF, S/KK to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, CS, KK, BF, NF, JK, HF, TC, AF Non-public session began at 1:49 p.m. and concluded at 1:55 p.m.	
17.0 Adjournment	Next regular meeting: May 15, 2014 8:00 a.m. NH Board of Nursing Conference Room B119 121 South St Concord, NH 03301	Meeting adjourned at 2:50 p.m. Respectfully submitted, Denise Nies, MSN, RN, BC Executive Director